

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Princess Emilily Hotep El; Monica Rene
Hall Estate Trust,

Case No. 2:22-cv-00874-APG-DJA

Plaintiffs,

Order

v.

Ally Bank; Aldridge Pite Haan, LLP,
Defendants.

Pro se plaintiff Princess Emilily Hotep El¹ has filed seven motions including four motions to remove or strike Defendants' pleadings (ECF Nos. 31, 39, 40, 42), two motions "for counterclaim debt" (ECF Nos. 36, 41), and a "motion in agreement for PFJR" (ECF No. 32). However, it is unclear what relief these motions seek or the legal grounds on which El seeks relief. Additionally, El's motions appear to be rooted in theories attributable to the "sovereign citizen" movement, which theories courts have rejected. The Court thus denies each of El's motions.

I. Discussion.

Not only do El's motions fail to state the grounds for the relief she seeks or even what relief she seeks, El's motions are based on her theory that she is a "foreign national" over which the United States government does not have jurisdiction. A recurring theme throughout these motions is that El—who refers to herself as "Diplomat princess emilily hotep el"—asserts that

¹ The Monica Rene Hall Estate Trust is listed as a plaintiff in this action. It appears that El is purporting to represent this entity. However, El cannot represent the trust because corporate defendants must appear in court through an attorney. *See In re Am. W. Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994); *see United States v. High Country Broad.*, 3 F.3d 1244, 1245 (9th Cir. 1993).

1 she is not the same individual as “MONICA RENE HALL,” whom El refers to as the “all caps
2 incorporation.” (ECF No. 31 at 1, 6).

3 These motions appear to stem from El’s apparent adherence to the “sovereign citizen”
4 anti-government movement. As one court described it:

5 Though the precise contours of their philosophy differ among the
6 various groups, almost all antigovernment movements adhere to a
7 theory of “sovereign citizen.” Essentially, they believe that our
8 nation is made up of two types of people: those who are sovereign
9 citizens by virtue of Article IV of the Constitution, and those who
10 are “corporate” or “14th Amendment” citizens by virtue of the
11 ratifications of the 14th amendment. The arguments put forth by
12 these groups are generally incoherent, legally, and vary greatly
13 among different groups and different speakers within those groups.
14 They all rely on snippets of 19th Century court opinions taken out
15 of context, definitions from obsolete legal dictionaries and treatises,
16 and misplaced interpretations of original intent. One of the more
17 cogent[—]in the sense that it is readily followed—arguments is that
18 there were no United States citizens prior to the ratification of the
19 14th Amendment. All Americans were merely citizens of their own
20 state and owed no allegiance to the federal government. As a result
21 of that amendment, however, Congress created a new type of
22 citizen—one who now enjoyed privileges conferred by the federal
23 government and in turn answered to that government.

24 One of the ramifications of this belief is the dependent belief that,
25 unless one specifically renounces his federal citizenship, he is not
26 the type of citizen originally contemplated by the Constitution. And,
27 in their view, the Constitution requires all federal office holders to
28 be the original or sovereign type of citizen, a state citizen rather than
a United States citizen. As a result, all federal officers are holding
office illegally and their laws and rules are thus constitutionally
suspect.

29 *Clarke v. Allen*, No. 3:17-cv-00582-MMD-WGC, 2020 WL 3510921, at *1-2 (D. Nev.
30 June 29, 2020) (quoting *United States v. Mitchell*, 405 F. Supp. 2d 602, 605 (D. Md. 2005)).

31 Other courts have described a similar theory based on the belief that passing the
32 Fourteenth Amendment led to fictitious entities:

33 Supposedly, prior to the passage of the Fourteenth amendment, there
34 were no U.S. citizens; instead, people were citizens only of their
35 individual states. Even after the passage of the Fourteenth
36 Amendment, U.S. citizenship remains optional. The federal

1 government, however, has tricked the populace into becoming U.S.
2 citizens by entering into “contracts” embodied in such documents as
3 birth certificates and social security cards. With these contracts, an
4 individual unwittingly creates a fictitious entity (*i.e.*, the U.S.
5 citizen) that represents, but is separate from, the real person.
6 Through these contracts, individuals also unknowingly pledge
7 themselves and their property, through their newly created fictitious
8 entities, as security for the national debt in exchange for the benefits
9 of citizenship.

10 *Id.* (quoting *Bryant v. Wash. Mut. Bank*, 524 F. Supp. 2d 753, 758 (W.D. Va. 2007)).

11 However, “[t]he attempt to divide oneself into two separate entities...is a legal fiction and
12 has been struck down consistently in courts and around the country.” *Id.* (internal citations and
13 quotations omitted). As the Honorable Magistrate Judge William G. Cobb aptly explained,
14 “[t]his court, like others across the country, concludes that ‘sovereign citizens,’ like all citizens of
15 the United States, are subject to the laws of the jurisdiction in which they reside.” *Id.* (internal
16 citations and quotations omitted). “Laws of the United States apply to all persons within its
17 borders.” *United States v. James*, 328 F.3d 953, 954 (7th Cir. 2003). “Regardless of an
18 individual’s claimed status of descent, be it as a ‘sovereign citizen,’ a ‘secured-party creditor,’ or
19 a ‘flesh-and-blood human being,’ that person is not beyond the jurisdiction of the courts. These
20 theories should be rejected summarily, however they are presented.” *United States v. Benabe*,
21 654 F.3d 753, 767 (7th Cir. 2011).

22 The Court rejects El’s theory that she is entitled to some form of relief through her
23 motions simply because she declares herself a “foreign national” or “sovereign citizen.” It also
24 rejects her theory that she is entitled to some form of relief because Defendants have referred to
25 her as the “corporate” entity: Monica Rene Hall. The Court will not entertain future motions
26 based on these theories.

27 **IT IS THEREFORE ORDERED** that Plaintiff’s motions (ECF Nos. 31, 32, 36, 39, 40,
28 41, and 42) are **denied**.

DATED: July 22, 2022


DANIEL J. ALBRECHTS
UNITED STATES MAGISTRATE JUDGE